

## Message Text

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72

ORIGIN L-02

INFO OCT-01 ARA-10 ISO-00 EB-07 CIAE-00 COME-00 DODE-00

DOT-00 FMC-02 INR-07 NSAE-00 CG-00 OFA-01 DLOS-05

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DRAFTED BY L/ARA:DAGANTZ:RR

APPROVED BY L/ARA:DAGANTZ

EB/TT: DICK BANK

ARA/NC TOM SONANDRES

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R 241430Z APR 75

FM SECSTATE WASHDC

TO AMEMBASSY CARACAS

UNCLAS STATE 094389

E.O. 11652: N/A

TAGS: PFOR, EWWT, VE

SUBJECT: COASTAL SHIPPING

1. DEPARTMENT HAS RECEIVED INQUIRY FROM HOUSTON LAWYER ASKING ABOUT APPLICABILITY OF VENEZUELAN COASTAL SHIPPING LAW TO OPERATIONS BY CLIENT'S VESSELS USED IN CLIENT'S CONSTRUCTION OPERATIONS IN ORINOCO RIVER. LAW FOR PROTECTION AND DEVELOPMENT OF THE NATIONAL MERCHANT MARINE FOUND IN OFFICAL GAZETTE 30.161 OF JULY 25, 1973 APPARENTLY PROVIDES (ARTICLE 3) THAT ALL COAST-WISE TRADE, INCLUDING THAT BETWEEN VENEZUELAN PORTS AND ALL DOMESTIC NAVIGATION IN GENERAL, IS RESERVED FOR SHIPS REGISTERED IN VENEZUELA. AMONG RESTRICTIONS IS PROVISIO THAT SHIPS BE 85 PER CENT VENEZUELAN OWNED (ARTICLE 7). LAW IS TO ENTER INTO FORCE JULY 23, 1975.

2. ATTORNEY SAYS THAT CLIENT'S VESSELS (MOSTLY TUGS AND BARGES) ARE NOT OF COURSE ENCOURAGED IN COMMERCIAL

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OR COMMON CARRIER OPERATIONS BUT THEY DO MOVE CONSTRUCTION

MATERIALS FROM ONE PLACE TO ANOTHER IN VENEZUELA, AND  
THUS COULD BE SUBJECT TO LAW EVEN THOUGH, IN ATTORNEY'S  
VIEW, THEIR OPERATIONS NOT WITHIN LAW'S INTENDED SCOPE.

3. DEPARTMENT WOULD APPRECIATE EMBASSY'S ADVICE OR COMMENTS

ON THIS ISSUE. EMBASSY MAY WISH TO CONSULT INFORMALLY  
WITH MINISTRY IN CHARGE OF ENFORCING LAW TO DETERMINE  
ITS VIEWS. KISSINGER

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